



STATE OF ARKANSAS
**Department of Finance
and Administration**

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MEMORANDUM

TO: All State Agencies, Boards and Commissions and Institutions of Higher Education

ATTENTION: Chief Fiscal Officers and Contracting Officials

FROM: Joe Giddis, Director
State Procurement

DATE: November 7, 2001

SUBJECT: Policy on Professional Consulting Services Contracts for Artists/Lecturers

Professional Consulting Services contracts for artists and lecturers, either as individuals or groups, should utilize the "sole source" designation on the contract form with the notation "artists/lecturer". The requirements normally associated with "sole source" PCS contracts are not applicable to PCS contracts for artists/lecturers, as individuals or groups. Artists/lecturers are selected to meet specific performance requirements. They are unique in their expertise and in what they can offer to an institution and/or an agency. In general, they are "one of a kind" individuals or groups with expertise in the performing arts. Given the general nature of the performing artists/lecturer's profession and the accepted method of planning, contracting, and scheduling performances and lectures, a competitive bid process is not applicable. Negotiation of fees is appropriate and should be part of the contracting process.

These provisions will be incorporated into the regulations on Professional Consulting Services regulations. **It is important that the guidance in this memorandum be given to those staff members responsible for preparing Professional and Consultant Services contracts.**

CC:
SEN Jonathan Fitch, Co-Chairman Review Sub Committee
REP David Hausam, Co-Chairman Review Sub committee
Dick Barclay
Tim Leathers
DF&A Administrators